

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NORTHEASTERN DIVISION

FRED W. HARVEY, et al.	)	
	)	
v.	)	
	)	
TUAN T. TRAN, et al.	)	
	)	
	)	No. 2:04-0089
	)	Magistrate Judge Brown
INSURANCE COMPANY OF THE STATE	)	
OF PENNSYLVANIA	)	
	)	
v.	)	
	)	
FRED W. HARVEY, et al.	)	

**O R D E R**

This civil action is before the undersigned for all further proceedings, pursuant to the consent of the parties and the order of District Judge Haynes (Docket Entry Nos. 66, 68).

Currently pending before the Court are three motions for summary judgment, filed by Economy Premier Assurance Company ("Economy"), Central Mutual Insurance Company ("Central"), and Phoenix Insurance Company ("Phoenix"), respectively (Docket Entry Nos. 71, 74, and 77). For the reasons given in the accompanying Memorandum, it is hereby ordered that the motions of Central and Phoenix be GRANTED, and that the motion of Economy be DENIED.

Accordingly, it is adjudged that, of the amount paid in settlement to the estate of Elizabeth Stephens, Economy is liable for \$50,000.00 and Central is liable for \$200,000.00; of the

amount paid in settlement to the estate of Elizabeth Upchurch,  
Economy is liable for the full underinsured amount of  
\$200,000.00.

All other issues in this litigation having been  
resolved by settlement agreement (Docket Entry Nos. 61, 64), this  
Order constitutes the final judgment in this action.

So **ORDERED**.

/s/ Joe B. Brown  
JOE B. BROWN  
United States Magistrate Judge